

Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	0

MR. SPEAKER:

*Your Committee on Agriculture, Natural Resources and Rural Development, to which was referred House Bill 1241, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 4-13-2-20 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 20. (a) Except as
- 5 otherwise provided in this section, IC 20-1-1.8-17.2, or IC 12-8-10-7,
- 6 payment for any services, supplies, materials, or equipment shall not be
- 7 paid from any fund or state money in advance of receipt of such
- 8 services, supplies, materials, or equipment by the state.
- 9 (b) With the prior approval of the budget agency, payment may be
- 10 made in advance for any of the following:
- 11 (1) War surplus property.
- 12 (2) Property purchased or leased from the United States
- 13 government or its agencies.

- 1 (3) Dues and subscriptions.
- 2 (4) License fees.
- 3 (5) Insurance premiums.
- 4 (6) Utility connection charges.
- 5 (7) Federal grant programs where advance funding is not
- 6 prohibited and, except as provided in subsection (i), the
- 7 contracting party posts sufficient security to cover the amount
- 8 advanced.
- 9 (8) Grants of state funds authorized by statute.
- 10 (9) Employee expense vouchers.
- 11 (10) Beneficiary payments to the administrator of a program of
- 12 self-insurance.
- 13 (11) Services, supplies, materials, or equipment to be received
- 14 from an agency or from a body corporate and politic.
- 15 (12) Expenses for the operation of offices that represent the state
- 16 under contracts with the department of commerce and that are
- 17 located outside Indiana.
- 18 (13) Services, supplies, materials, or equipment to be used for
- 19 more than one (1) year under a discounted contractual
- 20 arrangement funded through a designated leasing entity.
- 21 (14) Maintenance of equipment and maintenance of software not
- 22 exceeding an annual amount of one thousand five hundred dollars
- 23 (\$1,500) for each piece of equipment or each software license.
- 24 **(15) Exhibits, artifacts, specimens, or other unique items of**
- 25 **cultural or historical value or interest purchased by the state**
- 26 **museum.**
- 27 (c) Any state agency and any state college or university supported
- 28 in whole or in part by state funds may make advance payments to its
- 29 employees for duly accountable expenses exceeding ten dollars (\$10)
- 30 incurred through travel approved by the employee's respective agency
- 31 director in the case of a state agency and by a duly authorized person
- 32 in the case of any such state college or university.
- 33 (d) The auditor of state may, with the approval of the budget agency
- 34 and of the commissioner of the Indiana department of administration:
- 35 (1) appoint a special disbursing officer for any state agency or
- 36 group of agencies where it is necessary or expedient that a special
- 37 record be kept of a particular class of disbursements or where
- 38 disbursements are made from a special fund; and

1 (2) approve advances to the special disbursing officer or officers
2 from any available appropriation for the purpose.

3 (e) The auditor of state shall issue the auditor's warrant to the
4 special disbursing officer to be disbursed by the disbursing officer as
5 provided in this section. Special disbursing officers shall in no event
6 make disbursements or payments for supplies or current operating
7 expenses of any agency or for contractual services or equipment not
8 purchased or contracted for in accordance with this chapter and
9 IC 5-22. No special disbursing officer shall be appointed and no money
10 shall be advanced until procedures covering the operations of special
11 disbursing officers have been adopted by the Indiana department of
12 administration and approved by the budget agency. These procedures
13 must include the following provisions:

14 (1) Provisions establishing the authorized levels of special
15 disbursing officer accounts and establishing the maximum
16 amount which may be expended on a single purchase from special
17 disbursing officer funds without prior approval.

18 (2) Provisions requiring that each time a special disbursing officer
19 makes an accounting to the auditor of state of the expenditure of
20 the advanced funds, the auditor of state shall request that the
21 Indiana department of administration review the accounting for
22 compliance with IC 5-22.

23 (3) A provision that, unless otherwise approved by the
24 commissioner of the Indiana department of administration, the
25 special disbursing officer must be the same individual as the
26 procurements agent under IC 4-13-1.3-5.

27 (4) A provision that each disbursing officer be trained by the
28 Indiana department of administration in the proper handling of
29 money advanced to the officer under this section.

30 (f) The commissioner of the Indiana department of administration
31 shall cite in a letter to the special disbursing officer the exact purpose
32 or purposes for which the money advanced may be expended.

33 (g) A special disbursing officer may issue a check to a person
34 without requiring a certification under IC 5-11-10-1 if the officer:

35 (1) is authorized to make the disbursement; and

36 (2) complies with procedures adopted by the state board of
37 accounts to govern the issuance of checks under this subsection.

38 (h) A special disbursing officer is not personally liable for a check

1 issued under subsection (g) if:

2 (1) the officer complies with the procedures described in
3 subsection (g); and

4 (2) funds are appropriated and available to pay the warrant.

5 (I) For contracts entered into between the department of workforce
6 development or the Indiana commission on vocational and technical
7 education and:

8 (1) a school corporation (as defined in IC 20-10.1-1-1); or

9 (2) a state educational institution (as defined in IC 20-12-0.5-1);
10 the contracting parties are not required to post security to cover the
11 amount advanced.".

12 Page 3, line 17, delete "dollars (\$100)." and insert "**twenty-five**
13 **dollars (\$125).**".

14 Page 3, line 19, delete "**ten**" and insert "**fifteen**".

15 Page 3, line 20, delete "(\$10)." and insert "(\$15).".

16 Page 4, after line 15, begin a new paragraph and insert:

17 "SECTION 9. IC 23-14-57-1 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 1. (a) **As used in this**
19 **section, "removed" refers to the disinterment, disentombment, or**
20 **disinurnment of the remains of a deceased human.**

21 (b) The remains, either cremated or uncremated, of a deceased
22 human shall not be removed from a cemetery without:

23 (1) a written order ~~of issued by~~ the state department of health;

24 (2) the written consent of:

25 (A) the owner of the cemetery; or

26 (B) the owner's representative; and

27 (3) the written consent of:

28 (A) the spouse of the deceased; or

29 (B) the parents of the deceased in the case of a deceased minor
30 child;

31 ~~or a court order;~~

32 authorizing the disinterment, disentombment, or disinurnment.

33 (c) **Before issuing a written authorization under subsection (b),**
34 **the state department of health shall do the following:**

35 (1) **Obtain written evidence of the legal ownership of the**
36 **property from which the remains will be removed.**

37 (2) **Send written notice to the department of natural**
38 **resources, division of historic preservation and archaeology,**

- 1 of the time, date, and place from which the remains will be
2 removed.
- 3 (3) Obtain written evidence that a licensed funeral director
4 has agreed to:
- 5 (A) be present at the removal and at the reinterment,
6 reentombment, or reinurnment of the remains; and
7 (B) cause the completed order of the state department of
8 health to be recorded in the office of the county recorder
9 of the county where the removal occurred.
- 10 (4) Obtain written evidence that a notice of the removal has
11 been published at least five (5) days before the removal in a
12 newspaper of general circulation in the county where the
13 removal will occur.
- 14 (d) The state department of health may adopt rules under
15 IC 4-22-2 to implement this section".
- 16 Renumber all SECTIONS consecutively.
(Reference is to HB 1241 as introduced.)

and when so amended that said bill do pass.

Representative Lytle